

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

## **PROTECTIVE ORDER**

Pursuant to Federal Rule of Criminal Procedure 16(d) and Local Rule 116, it is hereby  
ORDERED as follows:

1. For purposes of this Order, the term "the Discovery" means the discovery materials, including documents, photographs and video recordings the government produces to the defendants in the above cited criminal case, but excluding the U.S. Bureau of Prisons ("US BOP") policies that are publically available on the US BOP's website.
2. Except as provided below, defendants and their respective counsel of record shall make no disclosure of the Discovery as described above, to any other person.
3. Consistent with the terms of this Order, the Discovery may be disclosed by counsel of record in this case so long as such disclosures are made for the sole purpose of preparing a defense to charges pending in the case. Such disclosures may be made by counsel of record for a defendant in that case to: (1) the defendant represented by that counsel of record; (2) other counsel of record in the pending case; (3) a counsel of record's partners, associates, paralegal, designated defense investigators and stenographic employees involved in the defense of this case; (4) such independent experts as may be selected by defense counsel to furnish technical or expert services or give testimony in the case; (5) persons identified in a communication to be disclosed as being present during such communication or being a participant therein; and (6) to other persons, but

only pursuant to order of the Court based upon a showing of particularized need; provided that nothing in this Order shall prevent defense counsel from disclosing a recording or its contents to a potential witness for the defense where defense counsel has made a good-faith determination that such disclosure is necessary to the proper preparation of the defense.

4. Counsel of record for the defense shall not make any disclosure as provided in paragraph 3 above without first obtaining from the person to whom the disclosure will be made written acknowledgment that he or she is bound by the terms of this Order. Each such person shall indicate his or her acknowledgment by signing a copy of this Order after having read the Order and having the contents herein fully explained by counsel of record making the disclosure. Counsel shall maintain a list of names of all such persons and a copy of their acknowledgments and shall file original acknowledgments with the Court in camera.

5. Prior to filing any materials from the "Discovery" as described above, the parties are required to confer in order to determine whether such materials need to be filed under seal in accordance with Local Rule 7.2.

8. Upon the termination of these proceedings (which extends to any appeal or collateral attack and any appeal therefrom continuing until the denial of any petition for *writ of certiorari* by the U.S. Supreme Court) the Discovery shall be returned forthwith to the United States or to the Court or be destroyed and verify in writing to government counsel that such materials have been destroyed absent further Court order to the contrary. It will be the burden of the U.S. government to identify for defense counsel in writing the time of the termination of the criminal proceedings in the event that defense counsel is no longer counsel of record for a defendant in further proceedings in the same criminal case.

9. A copy of this Protective Order shall be signed by each defense counsel and shall

be filed by the attorney for the government and made part of the record of this case once all counsel of record have affixed their signatures below.

10. Each of the parties to the Protective Order shall have the right to seek modification(s) of the Protective Order either by agreement of the parties or by motion to the Court.

/s/ Donald L. Cabell

HON. DONALD L. CABELL  
U.S. MAGISTRATE JUDGE  
DISTRICT OF MASSACHUSETTS



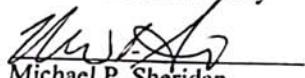
Dated: 3/4/2020

**PROTECTIVE ORDER**

**Criminal No. 20-10029-DJC**

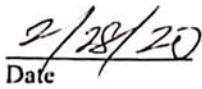
/s/ Neil Gallagher

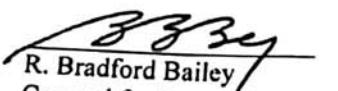
Neil J. Gallagher, Jr.  
Assistant U.S. Attorney

  
Michael P. Sheridan  
Counsel for Seth Bourget

2/28/2020

Date

  
Date

  
R. Bradford Bailey  
Counsel for Joseph Lavorato

2-28-20

Date